



[Handwritten signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kelleher and Stone

Art Unit: 3763

Application No.: 10/659,211

Examiner:

Filed: 9/9/2003

Title: Device and Method for Endoluminal Therapy

Attorney Docket No.: END01US

PRELIMINARY AMENDMENT AND REQUEST TO CORRECT PRIORITY DATE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This application is related to a provisional application, No. 60/409,838 filed September 9, 2002. Priority to this application was claimed in the Declaration and Power of Attorney filed in this corresponding utility application, No. 10/659,211. Given the utility application was filed within one year of the provisional application filing date, Applicants respectfully request the entry of the provisional application as a priority document under Title 35 USC Section 119(e).

Applicants also request the specification be amended as follows:
On page 1, before paragraph 01 insert paragraph 00:

Cross Reference to Related Applications

This application is related to Provisional Patent Application 60/409,838, filed September 9, 2002, which is hereby incorporated by reference for its teachings.

Entry of this amendment and the priority document is respectfully requested.



Respectfully Submitted,

Signature: _____

Merle Richman
Patent Attorney
Reg. No. 38282
PO Box 3333
La Jolla, CA 92038-3333
Tel. 858 320-2030

I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to Mail Stop Missing Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

Typed Name: Merle Richman

Signature: _____

Date: June 15, 2005